

**REMARKS**

A response to the Final Office Action dated December 9, 2008 was submitted with a Request for Continued Examination (RCE) on March 9, 2009. In the response, applicant indicated that terminal disclaimers would be submitted to overcome the outstanding provisional obviousness-type double patenting rejections based on pre-grant publication US 2006-0230880 (U.S. 10/540,434), pre-grant publication US 2007-0137435 (U.S. 10/540,435) and pre-grant publication US 2006-0231466 (U.S. 10/540,436), respectively. Three terminal disclaimers are submitted herewith to overcome the rejections.

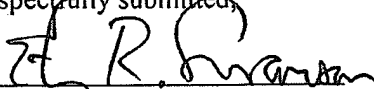
Withdrawal of the obviousness-type double patenting rejections is respectfully requested.

**CONCLUSION**

The Commissioner is hereby authorized to charge any unpaid fees deemed required in connection with this submission, including any additional filing or application processing fees required under 37 C.F.R. §1.16 or 1.17, or to credit any overpayment, to Deposit Account No. 04-0100.

Dated: April 24, 2009

Respectfully submitted,

By   
Erik R. Swanson

Registration No.: 40,833  
DARBY & DARBY P.C.  
P.O. Box 770  
Church Street Station  
New York, New York 10008-0770  
(212) 527-7700  
(212) 527-7701 (Fax)  
Attorneys/Agents For Applicant